



PATENTS

(Docket L-1632CA)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Valdemar Portney
 SERIAL NO: 10/721,155
 FILED: November 25, 2003
 10 FOR: ADJUSTABLE INTRAOCULAR LENS SYSTEM | Art
 AND INTRAOCULAR LENSES THEREFOR | Group
 Examiner: Miller, Cheryl L. | 3738

15 CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this Response and related papers are
 being deposited with the United States Postal Service on
 January 13, 2005 as Express Mail, label number
 20 ET420113458US, addressed to Commissioner for Patents, P.O.
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 Signature of person mailing paper

25 RESPONSE TO OFFICE COMMUNICATION

30 Anaheim, CA 92807
 - January 7, 2005

Commissioner for Patents
 P.O. Box: 1450
 Alexandria, VA 22313-1450

35 Sir:

In response to the restriction requirement set forth on
 page 2 of the Office communication, dated December 1, 2004,
 40 Applicant herewith elects Group I Claims 1-35 (as amended
 hereby and drawn to intraocular lens), subject to
 Applicant's reserved right to proceed with Group II Claims
 36-42 (drawn to a method of implantation) in a subsequent
 divisional application.

45 Responsive to the requirement for election of species

(page 3 of the Office Communication), In Figures 1-7 of Species 1 and the variations of Figures 11 and 12 of Species 3 and 4, the secondary IOL attachment slit is formed in the primary IOL optic itself. In Figures 8-10 of Species 2 and the variation of Figure 13 of Species 5, the secondary IOL attachment slit is formed in a small tab that extends radially from the primary IOL optic peripheral edge; and in Figures 14-15 of Species 6 and in Figures 16-17 of Species 7, the secondary IOL attachment slit is formed a primary IOL attachment region (haptic) joined to the primary IOL optic peripheral edge.

As shown below and in the accompanying Claim vs. Species chart, referring to claims as amended hereby:

Species #1 of Figures 1-7 is covered by Claims 1, 4-8 and 21-29.

Species #2 of Figures 8-10 is covered by Claims 9, 11-12, 14, 16-26, 30-31 and 33-35.

Species #3 of Figure 11 is covered by Claims 1, 4-8 and 21-29.

Species #4 of Figure 12 is covered by Claims 1, 4-8 and 21-29.

Species #5 of Figure 13 is covered by Claims 9, 11-12, 14, 16-26, 30-31 and 33-35.

Species #6 of Figures 14-15 is covered by Claims 9, 11, 14, 16-26, 30 and 32-35.

Species #7 of Figures 16-17 is covered by Claims 9, 11, 14, 16-26, 30 and 32-35.

Applicant elects the identified Species 1 (Figures 1-7; Claims 1, 4-8 and 21-29) for examination in the event no generic claim is finally held allowable, subject to Applicant's retained right to pursue any or all of the non-elected Species 2-7 at a later time.